



IN THE HIGH COURT OF ORISSA AT CUTTACK
CRLMC No.416 of 2026

Golekha Behera @ Golekh
Chandra Behera

Petitioner (s)
Mr. Biraja Prasad Nanda,
Advocate

-versus-

State of Odisha & Anr.

Opposite Party(s)
Ms. Gayatri Patra, ASC
Mr. Sanjay Kumar Das,
Advocate

CORAM:
THE HON'BLE DR. JUSTICE SANJEEB K PANIGRAHI

ORDER

Order No. 24.02.2026
03.

1. This matter is taken up through hybrid arrangement.
2. The Petitioner has filed this CRLMC with a prayer to quash the order of NBW issued against the Petitioner in Crl. Misc. Case No.83 of 2024 pending before the learned SDJM, Talcher.
3. Learned counsel for the Petitioner submits that earlier vide order dated 11.01.2017 passed in Crl. Misc. Case No.108 of 2015, the learned SDJM, Talcher directed the Petitioner to pay maintenance of Rs.7,000/- per month to the Opposite Party No.2. However, due to severe financial hardship, irregular employment and unavoidable personal difficulties, the Petitioner could not deposit the said maintenance amount, resulting in



accumulation of arrears. However, the learned Court below, without considering the intention and financial constraints of the Petitioner has issued warrant vide order dated 09.05.2025. After issuance of NBW, the petitioner filed a petition before the learned Court below with a prayer to pay the rest of the arrear maintenance amount on monthly instalment basis and also a prayer for recalling the order of DW/NBW. But the same was rejected by the learned SDJM, Talcher vide order dated 01.11.2025. The Petitioner is now ready and willing to pay the 50% of the arrear maintenance amount by 18th March, 2026 and rest of the amount shall be paid within three months thereafter in equal installments.

4. In view of such facts and submissions made by the learned counsel for the Petitioner, this Court is inclined to allow the CRLMC. Accordingly, the order dated 09.05.2025 issued against the Petitioner in Crl. Misc. Case No.83 of 2024 by the learned SDJM, Talcher in the aforesaid case, so far it relates to issuance of N.B.W. against the petitioner, is hereby quashed.

5. The Petitioner is directed to surrender before the court in *seisin* over the matter in the aforesaid case and move for bail within a period of fifteen days hence. On such event, the said court shall release him on bail with



some stringent conditions so as to enable him to appear before the court on each date of posting of the case.

6. Further the Petitioner is directed to pay the 50% of the arrear maintenance amount by 18th March, 2026 and rest of the amount shall be paid within three months thereafter in equal installments.

7. Accordingly, the CRLMC is disposed of.

(Dr. Sanjeeb K Panigrahi)
Judge

Gitanjali